

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-028-JFH

CASSANDRA HOLT,

Defendant.

OPINION AND ORDER

Before the Court is an unopposed motion to withdraw plea of guilty (“Motion”) filed by Defendant Cassandra Holt (“Defendant”). Dkt. No. 27. Defendant states the United States of America (“Government”) does not object to the Motion. *Id.* at 2.

Defendant pled guilty to one (1) count of child neglect in Indian country and one (1) count of child abuse in Indian country. *See* Dkt. No. 20; Dkt. No. 24; Dkt. No. 25; Dkt. No. 26. The plea was pursuant to an agreement under Federal Rule of Criminal Procedure 11(c)(1)(C) and included a stipulation that “the appropriate disposition in this case is a sentence of 24 months of probation to include drug, alcohol, and mental health treatment.” Dkt. No. 25 at 13-14. In the Motion, Defendant requests to withdraw her plea because the stipulations of the plea cannot be satisfied. Dkt. No. 27 at 2. She states the offenses to which she pled are Class A felonies, which render her ineligible for probation. *Id.* Defendant “requests to withdraw her plea of guilty[] so that the parties may resume negotiations, rather than wait until the Sentencing Hearing on September 29, 2022.” *Id.*

Under Federal Rule of Criminal Procedure 11, a defendant may withdraw a plea of guilty before the Court accepts the plea “for any reason or no reason.” Fed. R. Crim. P. 11(d)(1). Since

the Court has not yet accepted the parties' Rule 11(c)(1)(C) plea agreement, the Court will grant Defendant's request.

IT IS THEREFORE ORDERED that the unopposed motion to withdraw plea of guilty filed by Defendant at Dkt. No. 27 is GRANTED.

DATED this 1st day of September 2022.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE